

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : 22cr14 (RDJ)  
Plaintiff, :  
-against- : United States Courthouse  
SI CHI ZHU, : Brooklyn, New York  
Defendant. : Tuesday, January 25, 2022  
: 10:00 a.m.  
:

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TRANSCRIPT OF CRIMINAL CAUSE FOR A PLEADING  
BEFORE THE HONORABLE RAYMOND J. DEARIE  
UNITED STATES SENIOR DISTRICT JUDGE

A P P E A R A N C E S:

For the Government: UNITED STATES ATTORNEY'S OFFICE  
Eastern District of New York  
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Brooklyn, New York 11201  
BY: ANDREW ESTES, ESQ.  
Assistant United States Attorney

For the Defendant: LAW OFFICES OF VADIM A. GLOZMAN  
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BY: VADIM GLOZMAN, ESQ.

Nancy Wu, Cantonese Interpreter  
Pretrial Services - Valeria Lopez

Court Reporter: SOPHIE NOLAN  
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*Proceedings recorded by mechanical stenography, transcript  
produced by Computer-Aided Transcription*

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1 (Via Teleconference.)

2 (The Hon. Raymond J. Dearie, presiding.)

3 (Defendant present via Zoom.)

4 THE COURTROOM DEPUTY: This is a criminal cause for  
5 a pleading in the matter of *USA versus Si Ci Zhu*, docket  
6 number 22-CR-14. The interpreter has been sworn.

7 Counsel, can you please state your appearance for  
8 the record, starting with the Government?

9 MR. ESTES: Andrew Estes for the Government. Good  
10 morning, Your Honor.

11 THE COURT: Mr. Estes, good morning.

12 MR. GLOZMAN: Good morning, Your Honor. For the  
13 record, I am Vadim Glozman on behalf of Si Ci Zhu and I have  
14 filed my appearance as a pro hac vice attorney.

15 THE COURT: All right. Good morning.

16 Good morning, Ms. Zhu. Are we ready to proceed,  
17 counsel?

18 THE DEFENDANT: Good morning, Your Honor.

19 THE COURT: Good morning.

20 I understand you have arrived at a disposition. The  
21 defendant will plead guilty to an Information. I have before  
22 me a signed waiver of indictment as well as a copy of the  
23 Information and the parties' agreement and later on in the  
24 proceedings we'll get to the subject of bond and release.

25 As far as I understand it, this is the first

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1 appearance by Ms. Zhu?

2 MR. ESTES: That is correct, Your Honor.

3 THE COURT: All right. Swear the defendant,  
4 Catherine, if you would.

5 THE COURTROOM DEPUTY: Ms. Zhu, please raise your  
6 right hand?

7 Do you swear or affirm that the testimony you are  
8 about to give in connection to plea will be the truth, the  
9 whole truth and nothing but the truth so help you God?

10 THE DEFENDANT: Yes.

11 THE COURT: I am observing the interpreter who  
12 appears to be having some difficulty.

13 Madam, are you able to hear me?

14 THE INTERPRETER: Your Honor, the interpreter has  
15 some difficulty hearing you because I am using both the phone  
16 and the computer.

17 THE COURT: Let's take a pause and figure out the  
18 technical issues.

19 (Pause in proceedings.)

20 THE COURT: Hopefully we can proceed without any  
21 more trouble. I left off asking the interpreter to assure us  
22 that the defendant responded when she was placed under oath.

23 I am going to swear the defendant again. Cat, would  
24 you do that?

25 THE COURTROOM DEPUTY: Ms. Zhu, raise your right

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1 hand. Do you swear or affirm that the answers you are about  
2 to give in connection with this plea will be the truth, the  
3 whole truth and nothing but the truth, so help you God?

4 THE DEFENDANT: Yes, I do.

5 THE COURT: Okay, I have observed the defendant with  
6 her hand raising and I hear through the interpreter that she  
7 has responded yes.

8 Now, Ms. Zhu, I have to ask you a number of  
9 questions. If there's anything I say that isn't entirely  
10 clear to you or if you can't hear for any reason, me or the  
11 interpreter, by all means let me know that immediately. Do  
12 you understand?

13 THE DEFENDANT: Okay, I understand.

14 THE COURT: If you wish at any time to confer with  
15 your attorney, simply ask me and I will give you whatever time  
16 you need to talk privately with your lawyer.

17 THE DEFENDANT: Okay, I understand.

18 THE COURT: You should bear in mind as well that you  
19 are now under oath. That means that your answers to my  
20 questions must be truthful. If they were not in any material  
21 way, you could subject yourself to further criminal charges  
22 for the offense of perjury which is lying while under oath.  
23 Do you understand that?

24 THE DEFENDANT: I understand.

25 THE COURT: The first order of business, of course,

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1 is that we are conducting this proceeding by video. Now, in  
2 light of the pandemic, the Congress of the United States has  
3 authorized the Administrative Office of the U.S. Courts and  
4 the Chief Judges of the United States to authorize us to  
5 conduct these proceedings with the consent of the defendant,  
6 if the interest of justice so require.

7 You have the right to insist that the proceeding be  
8 conducted in open court notwithstanding. Do you understand  
9 that?

10 THE DEFENDANT: I do understand.

11 THE COURT: Your lawyer has explained that to you?

12 THE DEFENDANT: Yes.

13 THE COURT: And you consent to us proceeding by  
14 video?

15 THE DEFENDANT: I agree to it. I very much agree to  
16 it.

17 THE COURT: The defendant has agreed to the  
18 proceedings, given the circumstances as I understand them and  
19 the defendant's consent and the stated desire to proceed by  
20 video, I find that the interest of justice is served and  
21 accordingly we will continue as such.

22 I will ask you now to state your full name.

23 THE INTERPRETER: Your Honor, there is a lag. Can  
24 you repeat the question?

25 THE COURT: I will ask you please to state your full

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1 name.

2 MR. ESTES: This is Andrew Estes for the Government.  
3 I think the interpreter just muted herself.

4 THE DEFENDANT: My full name is S-I, C-I, Z-H-U.

5 THE COURT: And how old are you, madam?

6 THE DEFENDANT: Fifty years old.

7 THE COURT: And what schooling or formal education  
8 have you had?

9 THE DEFENDANT: High school.

10 THE COURT: We are using an interpreter, so I would  
11 emphasize if you have any difficulty with the interpretation,  
12 let me know immediately.

13 Counsel, you have conducted your discussions with  
14 your client through the use of an interpreter?

15 MR. GLOZMAN: Yes, Your Honor. We had someone help  
16 translate what I said and what the documents said.

17 THE COURT: Ms. Zhu, are you currently under the  
18 care of a physician or any medical professional?

19 THE DEFENDANT: No, I have not.

20 THE COURT: In the past 24 hours have you had any  
21 medication, alcohol or drugs of any sort?

22 THE DEFENDANT: No, I have not.

23 THE COURT: So your mind is clear this morning and  
24 you are able to follow what I say?

25 THE DEFENDANT: Yes.

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1 THE COURT: Counsel, in your discussions with your  
2 client, are you confident that she understands the rights that  
3 she will be waiving by waiving indictment and by pleading  
4 guilty?

5 MR. GLOZMAN: I do, Your Honor.

6 THE COURT: Is she, in your judgment, capable of  
7 understanding the nature of these proceedings?

8 MR. GLOZMAN: Yes, Your Honor.

9 THE COURT: Is there any doubt as to her competence  
10 to proceed at this time?

11 MR. GLOZMAN: No, Your Honor.

12 THE COURT: Ms. Zhu, are you satisfied with the  
13 representation that the counsel has provided to you so far in  
14 this case?

15 THE DEFENDANT: I am very satisfied.

16 THE COURT: I take it, therefore, that you wish to  
17 have him continue in his role as your attorney?

18 THE DEFENDANT: Yes.

19 THE COURT: Now, I am going to ask you a number of  
20 questions that are designed to establish as a matter of record  
21 that you understand the rights you waive by waiving indictment  
22 and pleading guilty, all right? Do you understand?

23 THE DEFENDANT: Yes, I do understand.

24 THE COURT: The charge reflected in this Information  
25 is what we call a felony violation of law, meaning that it is

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1 an offense that carries with it a possible term of  
2 imprisonment in excess of one year. The United States  
3 attorney does not have the authority to charge you with any  
4 felony violation of law without your willingness to knowingly  
5 and voluntarily waive your right to have a grand jury  
6 determine whether or not charges should be filed against you.

7 A grand jury is a group of people drawn from the  
8 community to hear evidence presented by the United States  
9 attorney. It is not an adversarial proceeding in the sense  
10 that you are not present, counsel is not present -- unless you  
11 request to testify. The U.S. Attorney required to establish  
12 to the satisfaction of the grand jury probable cause that you  
13 have committed an offense.

14 Then, and only then, can the grand jury charge you  
15 with any felony violation of law; meaning that if the grand  
16 jury determined that probable cause had not been established,  
17 they would be powerless to charge you with a felony violation  
18 of law. The Government, in turn, would be permitted to  
19 re-present the matter to a grand jury or to a second grand  
20 jury, all right, but they would not have the authority to  
21 charge you with a felony violation of law.

22 That means simply that if the grand jury decided not  
23 to indict you, that would be the end of it unless the  
24 Government chose to proceed before a different grand jury or  
25 re-present the matter to the same grand jury.



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1 Do you understand that?

2 THE DEFENDANT: I do understand.

3 THE COURT: Are you willing then to waive your  
4 rights to proceed before the grand jury?

5 THE DEFENDANT: Yes. I am willing to do so.

6 THE COURT: Counsel, any doubt in your mind that  
7 counsel understands her rights to proceed before a grand  
8 jury?

9 MR. GLOZMAN: No, Your Honor. We've gone over it  
10 several times.

11 THE COURT: Okay. The defendant has, in the  
12 presence and with the advice of counsel, knowingly and  
13 voluntarily waived her right to proceed before a grand jury.  
14 Accordingly, I would note for the record the waiver of  
15 indictment appears to be signed by the defendant, her attorney  
16 and now I will add my signature to the waiver, indicating my  
17 acceptance of her waiver.

18 All right, that taken care of, now we proceed just  
19 as if, Ms. Zhu, just as if the grand jury had indicted you for  
20 this offense. That said, you have an absolute right to plead  
21 not guilty to the charge. Do you understand?

22 THE DEFENDANT: I do understand.

23 THE COURT: If you were to plead not guilty to the  
24 charge, you would be entitled under our Constitution and laws  
25 to a speedy and public trial by a jury with the assistance of

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1 counsel on the charge reflected in this matter. At trial, you  
2 would be presumed innocent of the charge. The Government  
3 would have to attempt to overcome this presumption of  
4 innocence and prove you guilty to the jury's satisfaction  
5 beyond a reasonable doubt.

6 You would not be required to prove a thing. You can  
7 sit back, do nothing, say nothing and simply put the  
8 Government to the burden of attempting to prove its case to  
9 the satisfaction of the jury.

10 Do you understand these rights?

11 THE DEFENDANT: Yes, I do understand.

12 THE COURT: That means, of course, that if the  
13 government were to fail in any way, technical or otherwise, to  
14 prove its case to the satisfaction of the jury, the jury would  
15 be required under my instructions to find you not guilty, even  
16 if you committed this offense. Do you understand that? Have  
17 I lost you?

18 THE INTERPRETER: The interpreter lost the  
19 connection momentarily. I can hear you now.

20 THE COURT: If the Government were to fail to prove  
21 its case beyond a reasonable doubt, the jury would be required  
22 to find you not guilty even if you committed this offense. Do  
23 you understand?

24 THE DEFENDANT: Yes, I understand.

25 THE COURT: In the course of a trial, witnesses

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1 would be required to come to court, testify under oath in your  
2 presence, in the presence of your attorney. You would have  
3 the right to have counsel cross-examine each of the  
4 Government's witnesses. You have the right to offer evidence  
5 in your own defense, even though you are not required to do.  
6 So you would have the right to compel the attendance of  
7 witnesses to testify on your behalf.

8           You have the right to compel the production of  
9 documents and other information to assist you in your defense,  
10 all of which you can do with a court order or a subpoena as we  
11 commonly refer to it. Do you understand?

12           THE DEFENDANT: I understand.

13           THE COURT: At a trial, you would have the right,  
14 therefore, to sum up, to confront each of these witnesses  
15 face-to-face in open court. Do you follow?

16           THE INTERPRETER: Judge, the interpreter has  
17 internet problems. There is a lag. Can you repeat the last  
18 question, Your Honor?

19           THE COURT: I said you would have the right to  
20 confront each of these government witnesses face-to-face in  
21 open court.

22           THE DEFENDANT: I understand that.

23           THE COURT: At trial, you would have the right to  
24 testify in your own defense, but you would be under no  
25 obligation to do so. Under our Constitution and laws, you

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1 cannot be compelled to give evidence against yourself. The  
2 burden is on the Government to prove its case and it never  
3 moves to you. You are under no obligation to testify.

4 If you chose to testify, all right --

5 Excuse me, before I go there, if you chose not to  
6 testify and counsel requested it, I would instruct the jury in  
7 the strongest possible terms that under no circumstances could  
8 they, the jury, hold your decision against you. Do you  
9 understand that?

10 THE DEFENDANT: I understand.

11 THE COURT: And, finally, the decision of whether or  
12 not to testify is a decision you make; not your attorney, not  
13 the Government, not the Court. No one can make you testify.  
14 The decision whether or not to give evidence, give testimony  
15 at your trial is a decision for you to make. Obviously, it's  
16 a decision you would make in consultation with your attorney,  
17 but in the end, it is your decision. Do you understand?

18 THE DEFENDANT: I understand.

19 THE COURT: Okay. Now, having said all of that, if  
20 you plead guilty and I accept your plea, you give up all of  
21 these rights forever. Do you understand?

22 THE DEFENDANT: I understand.

23 THE COURT: There will be no trial. With the  
24 possible exception of sentence, there is no right to an  
25 appeal. I will simply enter a judgment of guilty based upon

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1 what you tell me; based upon your plea of guilty. Do you  
2 understand?

3 THE DEFENDANT: I understand.

4 THE COURT: And, finally, before I can actually  
5 accept your plea, I am required under the rule to satisfy  
6 myself that you are, in fact, guilty of the offense charged in  
7 this Information. To do that, in just a few minutes I will  
8 ask you a few questions about the charge.

9 In responding to my questions, you will give up your  
10 right to remain silent, quite obviously. You will give up  
11 your Constitutional right not to incriminate yourself and you  
12 will be called upon this morning on the record to acknowledge  
13 your guilt. Do you understand that?

14 THE DEFENDANT: I understand.

15 THE COURT: Are you willing then to give up your  
16 right to a trial and these other rights that I have just  
17 explained?

18 THE DEFENDANT: Yes.

19 THE COURT: I have before me a document which we  
20 will mark, Catherine, as Court Exhibit A to this proceeding.

21 (Court Exhibit A so received.)

22 THE COURT: It represents the agreement of the  
23 parties. It's an eleven-page typewritten document containing  
24 twenty-two numbered paragraphs.

25 Are you familiar with this document?

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1 MR. GLOZMAN: Yes, I am familiar with it.

2 THE COURT: Has it been translated for you?

3 THE DEFENDANT: Yes, it has been translated to me.

4 It was my son who translated it for me.

5 THE COURT: Your son is native -- was he speaking  
6 Mandarin?

7 THE DEFENDANT: In fact it's Cantonese, Your Honor.

8 THE COURT: Cantonese. That's his first language?

9 THE DEFENDANT: No. English is his first language.  
10 However, I spoke to him at home regularly.

11 THE COURT: In Cantonese?

12 THE DEFENDANT: Yes.

13 THE INTERPRETER: The interpreter missed that part  
14 of the answer?

15 THE COURT: I think I asked the defendant whether  
16 she reviewed the document with her attorney.

17 THE DEFENDANT: Yes, I have reviewed it with the  
18 lawyer a number of times.

19 THE COURT: Mr. Glozman, you are confident that your  
20 client understands the agreement?

21 MR. GLOZMAN: Yes. We reviewed it several times  
22 with the assistance of her son, who speaks fluent Cantonese.

23 THE COURT: Ms. Zhu, as far as you understand, is  
24 your agreement with the United States attorney fully and  
25 accurately set out in this agreement?

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1 THE DEFENDANT: Yes.

2 THE COURT: Are there any other promises or  
3 understandings that have been made to you that have  
4 contributed to your decision to enter into this plea that are  
5 not written down in this agreement?

6 THE DEFENDANT: No.

7 THE COURT: Counsel, you can confirm that, I take  
8 it?

9 MR. GLOZMAN: Yes, Your Honor.

10 THE COURT: Now, the charge itself begins with a  
11 lengthy introduction. With the permission of counsel, I will  
12 not read that. Is that okay, everyone?

13 MR. ESTES: Yes, Your Honor.

14 MR. GLOZMAN: Yes, Your Honor.

15 THE DEFENDANT: Yes, no need to.

16 THE COURT: Turning my attention to the charging  
17 language that begins on page four, paragraph 17. It reads as  
18 follows: "In or about and between January 2010 and January  
19 2021, both dates being approximate and inclusive within the  
20 Eastern District of New York and elsewhere, the defendant  
21 Si Ci Zhu," and I apologize if I've mispronounced the name,  
22 "together with others did knowingly and willfully conspire to  
23 offer and pay kickbacks, directly and indirectly, overtly and  
24 covertly, in cash and in kind, to persons to induce such  
25 persons to refer Medicare and Medicaid beneficiaries to the

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1 scheme pharmacies for the furnishing and arranging for the  
2 furnishing of services and items for which payment may have  
3 been made in whole or in part under Plan D plans, Medicaid and  
4 Medicaid Managed Care plans, contrary to Title 42 United  
5 States Code Section 1320a-7b(b)(2)(A).

6 "And in furtherance of the conspiracy and to effect  
7 its objects, within the Eastern District of New York and  
8 elsewhere, the defendant Si Ci Zhu, together with others,  
9 committed and caused the commission of, among others, the  
10 following overt acts: On or about April 18, 2018, Zhu signed  
11 a check written from a bank account held in the name of  
12 Pharmacy 2 and made payable to Individual 1 in the amount of  
13 \$83,953.

14 "On or about September 4, 2020 Zhu signed a check  
15 written from a bank account held in the name of Pharmacy 1 and  
16 made possible to Company 1 in the amount of \$28,932. On or  
17 about February 18, 2020, Zhu signed a written check from a  
18 bank account held in the name of Pharmacy 1 and made payable  
19 to Company 1 in the amount of \$30,728. On or about September  
20 21, 2020 Zhu signed a check written from a bank account in the  
21 name of Pharmacy 1 and made payable to Company 1 in the amount  
22 of \$3,000." Okay.

23 Ms. Zhu are you familiar with this charge?

24 THE DEFENDANT: Yes.

25 THE COURT: Ms. Zhu, did you carefully review it



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1 with counsel?

2 THE DEFENDANT: Yes.

3 THE COURT: Any doubt in your mind what you are  
4 charged with in this Information?

5 THE DEFENDANT: No, I do not.

6 THE COURT: You are charged with the offense of  
7 conspiracy. What is your understanding of the conspiracy?  
8 What is a conspiracy?

9 THE DEFENDANT: I am familiar with it.

10 THE COURT: What is a conspiracy?

11 THE DEFENDANT: That is agreement amongst people to  
12 achieve a goal.

13 THE COURT: To achieve an illegal goal?

14 THE DEFENDANT: Yes.

15 THE COURT: That is the crime you are pleading  
16 guilty to, the conspiracy itself, the agreement to violate the  
17 law. Do you understand that?

18 THE DEFENDANT: I do.

19 THE COURT: Now, let me turn back to your agreement  
20 and discuss generally information relating to sentencing. In  
21 paragraph one of your agreement, there is laid out the  
22 penalties that the Congress has written into the law that you  
23 face. You face a maximum term of imprisonment of five years  
24 and that's the worst that could happen, you face a term of up  
25 to three years of supervised release.

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1 Supervised release is a period of supervision that  
2 begins to run the moment you are released from federal  
3 custody. So this only comes into play if you are sentenced to  
4 a term of imprisonment; all right? If you were to violate the  
5 terms or conditions of your supervised release, at any time  
6 during the period of supervision, you could be returned to  
7 prison for up to two years under the sentence in my case  
8 without any credit being given to you for the time you spent  
9 at liberty under supervision. Do you understand that?

10 THE DEFENDANT: I understand.

11 THE COURT: You also face a fine of -- equal to the  
12 greater of \$250,000 or twice the gross gain from the offense  
13 conduct. And restitution is mandatory and it's mandatory in  
14 the amount of \$1,871,377 to be allocated between Medicare and  
15 Medicaid, the apportion to be determined by the Court at a  
16 later proceeding. Do you understand?

17 THE DEFENDANT: I understand.

18 THE COURT: The Court will also impose a special  
19 assessment of \$100 and you are subject to criminal forfeiture  
20 as laid out in paragraphs 6 through 13 of your agreement. I  
21 see here the possibility exists that as a result of this  
22 conviction, you could face denaturalization proceedings and  
23 removal from the United States. Again, as set out in  
24 paragraph 20 of your agreement.

25 Do you understand all of these possible penalties?

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1 THE DEFENDANT: I do understand.

2 THE COURT: Okay. We have sentencing guidelines in  
3 the court that address the question of where within this  
4 rather broad range of zero to five years you will sentenced?

5 THE DEFENDANT: I understand.

6 THE COURT: I cannot tell you today what sentencing  
7 range I will compute under these guidelines. I assume counsel  
8 has given you some idea as to what that range may be; is that  
9 correct?

10 THE DEFENDANT: Yes.

11 THE COURT: I won't be in a position to calculate  
12 the guidelines for myself until after I have received the  
13 probation pre-sentence report prepared by the Probation  
14 Department with your input, counsel's input and guidance, as  
15 well as the United States attorneys. The report will tell  
16 the story of this case. It will provide biographical  
17 information to yourself. It will also include the Probation  
18 Department's recommended calculation of the guidelines  
19 sentencing range.

20 You will see that report along with your attorney  
21 before I do. You will be given an opportunity to voice  
22 objection and otherwise comment on the report. It will  
23 eventually come to me. It will then be incumbent upon me to  
24 calculate the guidelines range based upon the report and based  
25 upon any information counsel bring to my attention, including

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1 any objections they may have to the report calculation.

2 I am not obligated to sentence you within the  
3 guideline range that I compute I am obligated to consider that  
4 range in arriving at what the law regards as a reasonable  
5 sentence. So, in the end, I will consider first and foremost  
6 the advisory guideline range, any number of statutory factors  
7 about you, the crime and so forth and any other information  
8 brought to me by counsel that bears on the question of  
9 sentence.

10 And, as I said, what the law then requires me to do  
11 is to impose a reasonable sentence. And if you think at the  
12 end of the day that I have imposed an unreasonable sentence,  
13 you may seek to review my -- to appeal my sentence, I should  
14 say, to a higher court and if you can no longer afford the  
15 fees and expenses associated with this appeal, those fees and  
16 expenses may be paid by the Court under the authority of the  
17 Criminal Justice Act.

18 Now, your right to appeal is limited, however, by  
19 your agreement which provides that you will not appeal or  
20 otherwise challenge your conviction in the event that the  
21 Court imposes a term of imprisonment at or below 51 months.  
22 So, as I understand this provision, as long as I impose a  
23 sentence of 51 months or less, you have no right to appeal.  
24 Do you understand that?

25 THE DEFENDANT: I understand.

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1 THE COURT: Is that your understanding as well?

2 THE DEFENDANT: I understand entirely.

3 THE COURT: Counsel, anything else I should cover?

4 MR. GLOZMAN: No, Your Honor.

5 MR. ESTES: Andrew Estes for the Government.

6 Just noting for the record that the Government's  
7 estimate of the ultimate guideline range including acceptance  
8 of responsibility would be 37 to 46 months and as Your Honor  
9 had mentioned, the forfeiture money judgment would be in the  
10 amount of \$759,821.

11 THE COURT: All right. Ms. Zhu, are you ready to  
12 plea?

13 THE DEFENDANT: Yes.

14 THE COURT: Do you have any questions before we go  
15 any further?

16 THE DEFENDANT: No, I do not.

17 THE COURT: Okay. Counsel, any reason why the  
18 defendant should not plead guilty?

19 MR. GLOZMAN: No, Your Honor.

20 THE COURT: Ms. Zhu, what is your plea to the  
21 Information; guilty or not guilty?

22 THE DEFENDANT: Guilty. I plead guilty.

23 THE COURT: Are you pleading guilty voluntarily of  
24 your own free will?

25 THE DEFENDANT: Yes.

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1 THE COURT: Has anyone threatened or forced you to  
2 plead guilty?

3 THE DEFENDANT: No.

4 THE COURT: Other than your agreement with the  
5 Government has anyone made any promise that caused you to  
6 offer this plea of guilty?

7 THE DEFENDANT: No.

8 THE COURT: Has anybody given you any assurances as  
9 to what I will do on sentence?

10 THE DEFENDANT: No.

11 THE COURT: All right, then, it's alleged in the  
12 Information generally that you conspired with others to pay  
13 kickbacks in connection with business related to Medicare and  
14 Medicaid. Did you do that?

15 THE DEFENDANT: Yes, I did.

16 THE COURT: Tell us what you did.

17 THE DEFENDANT: We conspired with others to accept  
18 patients referred to us by some doctors. In return, we gave  
19 some kickback to the doctors.

20 THE COURT: And this was where? Where were you  
21 conducting the business?

22 THE DEFENDANT: It's a business in Brooklyn. At 762  
23 59th Street, Brooklyn. It's Ac Pharmacy.

24 THE COURT: Okay, thank you.

25 Counsel, anything further?

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1 MR. GLOZMAN: Not in terms of the plea, Your Honor.

2 THE COURT: Mr. Estes.

3 MR. ESTES: Andrew Estes for the Government. Just  
4 noting that the time frame of the plea -- of the conduct that  
5 the Government would prove or ask Ms. Zhu to acknowledge is  
6 from approximately January 2010 to January 2021.

7 THE COURT: Correct, Ms. Zhu? Is that correct?

8 THE DEFENDANT: Yes.

9 THE COURT: Based on the Information I've received  
10 today, I find that the defendant is acting voluntarily, that  
11 she fully understands her rights, the consequences and  
12 possible consequences of her plea and that there is a factual  
13 basis for her plea of guilty; and, therefore, I accept her  
14 plea of guilty to the Information bearing docket number  
15 22-CR-14.

16 I urge you to cooperate with the Probation  
17 Department in their preparation of the pre-sentence report  
18 consistent, of course, with counsel's advice. The U.S.  
19 Attorney will maintain custody of the original agreement.

20 Should we set a date for sentence or a control date,  
21 Mr. Estes?

22 MR. ESTES: If Your Honor would like to set a  
23 control date at this time, that would be fine.

24 THE COURT: Catherine, can you set a control date  
25 about ninety days out?

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1 THE COURTROOM DEPUTY: Sure, Judge. April 22, 11  
2 a.m.

3 THE COURT: I understand that the defendant is to be  
4 released on an unsecured bond in the amount of \$500,000 signed  
5 by one additional suretor and the further condition that she  
6 have no contact with co-conspirators or witnesses outside the  
7 presence of counsel; that her travel is limited to New York  
8 City, Long Island, Massachusetts, the Northern District of  
9 Illinois, travel to and from these locations. And also a  
10 special condition that she not submit, directly or indirectly,  
11 claims to Medicare or Medicaid.

12 Have I recited that correctly, Mr. Estes?

13 MR. ESTES: Yes, Your Honor.

14 THE COURT: Mr. Glozman?

15 MR. GLOZMAN: Yes, Your Honor, in addition to the  
16 standard ones of not breaking laws or having controlled  
17 substances.

18 THE COURT: Indeed, in addition to the standard  
19 conditions of release. Has she been processed?

20 MR. GLOZMAN: She was processed with the FBI  
21 yesterday. It's her plan to be processed with the marshals  
22 following this hearing and we just ask that the Government and  
23 your courtroom deputy forward the bond paperwork to them so  
24 she's released timely.

25 THE COURT: Do I have permission to sign the bond or



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1 was she going to do that herself?

2 MR. GLOZMAN: You have permission, Your Honor, and  
3 you also have permission to sign on behalf of surety, Justin  
4 Ching, who is on Zoom.

5 MR. ESTES: Apologies for interrupting, Your Honor.

6 THE COURT: Go ahead.

7 MR. ESTES: Just to clarify, I also believe that the  
8 defendant should provide her passport to Pretrial Services if  
9 she still hasn't.

10 MR. GLOZMAN: She will bring it to the marshal's  
11 office and drop it at pretrial.

12 THE COURT: All right. All you need from us then is  
13 a copy of the bond which we will forward to the marshal's  
14 office; correct?

15 MR. GLOZMAN: Yes, Your Honor.

16 MR. ESTES: Yes, thank you, Your Honor.

17 THE COURT: Ms. Zhu, do you have any questions  
18 before we conclude the proceeding?

19 THE DEFENDANT: I do not, Judge.

20 THE COURT: Thank you, everyone.

21 And thanks to the court reporter. We take our court  
22 reporters for granted and that's the worst thing we could do.

23

24 (Matter adjourned.)

25 - oo0oo -